

1 THE HONORABLE RICARDO S. MARTINEZ
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WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STEAMSHIP MUTUAL UNDERWRITING
ASSOCIATION LIMITED, a foreign limited
liability corporation,

Plaintiff,

v.

OSPREY UNDERWRITING AGENCY
LIMITED, AND ITS CERTAIN
UNDERWRITERS, a foreign unincorporated
entity and/or corporation, and AMERICAN
STEAMSHIP OWNERS MUTUAL
PROTECTION AND INDEMNITY
ASSOCIATION, INC., believed to be a New
York corporation,

Defendants.

Case No.: 15-cv-00043-RSM

PLAINTIFF'S DISCLOSURE OF
EXPERT WITNESSES

Pursuant to Federal Rule of Civil Procedure 26(a)(2), and pursuant to the Court's
Scheduling Order, Plaintiff hereby makes the following disclosure of experts whose testimony
may be used at trial.

EXPERT WITNESS DISCLOSURE

1. Elliott S. Flood
8300 Adirondack Trail
Austin, TX 78759
512-215-0596

Case No.: 15-cv-00043-RSM
PLAINTIFF'S DISCLOSURE OF EXPERT
WITNESSES - 1

Jed Powell & Associates, PLLC
7525 Pioneer Way, Suite 101
Gig Harbor, WA 98335
Email: jed@jedpowell.com
Phone: 253-561-8791

1 Plaintiffs expect to call Elliott Flood as an expert in the fields of insurance coverage and
2 proper claims handling practices. Mr. Flood's preliminary expert report and CV are attached
3 hereto as Exhibit 1. Mr. Flood's opinions to be presented the trial in this matter are based on his
4 training, education, experience, and review of the records in this matter, among other things. As
5 discovery has barely commenced, with the first deposition scheduled for January 12, 2017, this
6 report is necessarily preliminary and will be promptly supplemented as appropriate. His hourly
7 rate is \$350.

9 **RESERVATION OF RIGHTS**

10 1. Plaintiff reserves the right to call any expert witness not included on this list that
11 is included in the list provided by Plaintiff.

12 2. Plaintiff reserves the right to supplement this disclosure pursuant to FRCP
13 26(a)(2) and to include other witnesses who are revealed during the course of discovery.

14 3. Discovery is ongoing in this case, and as of this date the parties have not yet taken
15 any depositions. Plaintiff accordingly reserves the right for Mr. Flood to supplement his
16 opinions following review of depositions of the parties and witnesses and other discovery.

18 4. Plaintiff reserved the right to call rebuttal experts.

19 5. Plaintiff reserves the right to call additional experts at trial if warranted by on-
20 going discovery.

21 6. Plaintiff reserves the right to elicit expert testimony from lay witnesses, including
22 but not limited to coverage counsel and medical providers.

DATED this 3rd day of January, 2017.

JED POWELL & ASSOCIATES, PLLC

/s/ JOHN E.D. POWELL via ECF

John E. D. Powell WSBA No. 12941
7525 Pioneer Way, Suite 101
Gig Harbor, WA 98335
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Case No.: 15-cv-00043-RSM
PLAINTIFF'S DISCLOSURE OF EXPERT
WITNESSES - 3

Jed Powell & Associates, PLLC
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Phone: 253-561-8791

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I electronically filed the foregoing with the Clerk of the Court using the CM/CF system which will send notification of such filing to the following:

*Attorneys for Defendant
Osprey Underwriting Agency:*

Richard F. Allen, WSBA #2411
COZEN O'CONNOR
999 Third Avenue, Suite 1900
Seattle, WA 98104
Telephone: 206-340-1000
Facsimile: 206-621-8783
Email: rallen@cozen.com

DATED this 3rd day of January, 2017.

JED POWELL & ASSOCIATES, PLLC

/s/ Toni M. Conway
Toni M. Conway
Assistant to John E.D. Powell